

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

17-CR-23-LJV-MJR

TRAMELL MCGEE,

Defendant.

PROTECTIVE ORDER

As part of voluntary discovery in the above-captioned case, the government will provide defense counsel with copies of audio recordings of pertinent telephone conversations intercepted pursuant to the Orders Authorizing the Interception of Wire and Electronic Communications issued by the Hon. William M. Skretny; and Orders Authorizing the Use of a Pen Register and a Trap and Trace Device issued by the Magistrate Court and related sealed documents. The government will make available for defense counsel's inspection copies of pertinent audio and/or video recordings containing evidence of the defendant's drug trafficking activities.

The government has requested a protective order limiting the dissemination of this material on the grounds that the safety and identities of confidential witness and/or undercover agent may be compromised.

NOW, upon the agreement of the parties, it is hereby

ORDERED, that the material set forth above shall be used by counsel for the defendant and the defendant solely in connection with pretrial, trial or other proceedings in this action, including any appeals, shall not be disclosed to the public, and shall not be disclosed to third parties by counsel or the defendant except as necessary in connection with pretrial proceedings, trial preparation or other proceedings in this action and subject to further limitations herein; and it is further

ORDERED, that to the extent permitted herein, copies of the material set forth above shall not be provided to third parties except those persons or entities employed or engaged for the purpose of assisting in the defense of this action; and it is further

ORDERED, that audio and/or video recordings contained in the compact discs may not be provided by defense counsel to the defendant; and it is further


ORDERED, that nothing in this order shall preclude counsel for the defendant or the defendant from disclosing the material during the course of the litigation of this action in pretrial proceedings, in memoranda filed, at trial or in post-trial proceedings; and it is further

ORDERED, that counsel for the defendant or the defendant may apply to the Court for an order specifically permitting public disclosure or disclosure to the defendant of any of

the above-mentioned material and that the government may file objections thereto; and it is further

ORDERED, that at the conclusion of the litigation of this action, including any direct appeal, counsel for the defendant shall return all copies of the above-mentioned material to the government immediately upon conclusion of the case.

DATED: Buffalo, New York, February 28, 2017.


MICHAEL J. ROEMER
United States Magistrate Judge

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